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Fiscal Conservatives' House Victory  
**By Paul M. Weyrich**

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**Democratic Filibusters to End**

March 18, 2005

Fiscal conservatives this week won an important victory in the House of Representatives.

The fight pitted influential House conservatives, led by Rep. Mike Pence (R-Ind.), Chairman of the 100-member Republican Study Committee ("RSC"), who are very concerned about overspending, against the House Republican Leadership.

House rules and procedures are complicated and, unlike those of the Senate – as, for example, in the matter of the unprecedented filibustering against Bush federal judicial nominees – receive rather little publicity. In short, an appropriations bill is considered on the House Floor under a specific rule reported to the full House by its powerful Committee on Rules and adapted by the full House. The terms and provisions of that rule then govern the parliamentary proceedings applicable to the appropriations bill – e.g., a "closed rule," with no amendment, whether germane or non-germane, allowed; an "open rule," allowing any kind of germane amendment; and various degrees of closed rules, allowing certain kinds of amendments. The particular rule applicable to a particular appropriations bill also may provide debate time limitations – no windy speeches, as are so common in the Senate, much less a filibuster.

The Speaker of the House and other Republican leaders tried to conciliate with Pence and his colleagues and to work out a mutually acceptable type of rule. The goal of the Pence-led Members basically was to force a parliamentary situation which would require budget authorizations (which are reported from the legislative committees having jurisdiction over the agency or function) and appropriations bills to stay within limitations, to do so by majority vote and to permit points of order when they failed to do so.

By Wednesday, March 16 it appeared that talks had broken down after Pence rejected the GOP Leadership's compromise package. The Leadership, not surprisingly, wanted a quick vote on the budget. At one point the GOP Leadership apparently wanted any action on procedural reforms to be considered at a later date. Pence opposed delay. He compared the notion of delay to the comic strip character Charlie Brown, who forever

ends up on the ground because someone pulls away the football Charlie Brown is trying to kick. As Pence saw it, why try only for a field goal? Why not try to score a touchdown by making it more difficult to remove brakes on spending.

Republican leaders questioned whether the threat of a full-scale conservative revolt would occur. At least eighteen GOP Members were willing to buck the Leadership but those numbers were too few to prevent the Leadership from sending the proposed budget to the Floor without the necessary protections. An anonymous Leadership staffer claimed that there were no more than twenty-some Members in the conservative effort – “. . . now isolated to Pence and a handful of members,” as one aide phrased it.

Finally, on Wednesday, Pence and fellow deficit hawks, led also by Paul Ryan (R-Wis.), Jeb Hensarling (R-Tex.) and Jeff Flake (R-Ariz.), prevailed.

Pence explained the agreement as follows: “Our ambition was that members of the majority have an opportunity to defend the budget of the majority on the House Floor. If any one of the ten appropriations bills exceeds the budget, any Member of Congress would be able to raise a point of order and that would be subject to debate and vote.”

This is a small, but important, procedural step. Pence and Hensarling, the RSC budget expert, and the others stood their ground despite enormous pressure. The procedural protection, by use as agreed of the right to make a point of order, should guarantee that fiscal hawks have greater control over the amounts of monies appropriated. However, that control cannot be applied against bills reported by House and Senate joint conference committees, which usually have inflated price tags. These committees invariably are created to iron out differences between an appropriations bill passed by the House and the version of the same bill passed by the Senate. The House, as a right under the Constitution, originates appropriations.

Now the sparring between friends is concluded. I know Speaker Dennis Hastert and Majority Whip Roy Blunt well. They are committed conservatives and are concerned about soaring spending. They have a difficult job. Pence showed his mettle in this fight, demonstrating his absolute commitment to principle. This matter is history. Let us hope that the GOP Leadership and GOP fiscal conservatives will work together really to rein in spending.

***Paul M. Weyrich is the Chairman and CEO of The Free Congress Foundation.***